

# Exhibit A

SUMMIT COUNTY JUSTICE COURT  
SUMMIT COUNTY, STATE OF UTAH

SALT LAKE CITY et al. vs. MICHAEL FRANCKEK

CASE NUMBER 201200366 Other Misdemeanor

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CHARGES

Charge 1 - 76-8-305 - INTERFERENCE WITH ARRESTING OFFICER - Class B Misdemeanor  
Offense Date: September 29, 2019  
Location: 48 Spalding Court, Park City  
Recommended Fine Amount: 680.00 Mandatory Appearance

Charge 2 - 76-8-301.5 - FAILURE TO DISCLOSE IDENTITY - Class B Misdemeanor  
Offense Date: September 29, 2019  
Location: 48 Spalding Court, Park City  
Recommended Fine Amount: 680.00 Mandatory Appearance

Charge 3 - 76-9-102 - DISORDERLY CONDUCT - Infraction  
Offense Date: September 29, 2019  
Location: 48 Spalding Court, Park City  
Recommended Fine Amount: 150.00

Total recommended fine: 1,510.00

CURRENT ASSIGNED JUDGE

SHAUNA L KERR

PARTIES

Plaintiff - SALT LAKE CITY  
Represented by: PAIGE WILLIAMSON  
Represented by: SCOTT FISHER

Plaintiff - SCOTT FISHER

Defendant - MICHAEL FRANCKEK  
Represented by: RUDY BAUTISTA

DEFENDANT INFORMATION

Defendant Name: MICHAEL FRANCKEK  
Date of Birth: August 29, 1964  
Law Enforcement Agency: PARK CITY POLICE  
LEA Case Number: Park City 201914818  
Prosecuting Agency: SALT LAKE CITY  
Agency Case Number: 19111862  
Arrest Date: September 29, 2019  
Violation Date: 09-29-2019

ACCOUNT SUMMARY

CASE NOTE

PROCEEDINGS

05-29-2020 Filed: INFORMATION/INDICTMENT ORIGINAL  
05-29-2020 Filed: SUMMONS - TO ISSUE (PROPOSED)  
05-29-2020 Case filed by efiler  
05-29-2020 Filed: From an Information  
05-29-2020 Judge SHAUNA L KERR assigned.  
06-03-2020 Issued: Summons Issued  
Clerk JANA MARCHANT  
06-03-2020 Filed: Return of Electronic Notification  
06-03-2020 ARRAIGNMENT scheduled on July 20, 2020 at 09:00 AM with Judge  
SHAUNA L KERR  
06-04-2020 Filed: Return of Electronic Notification  
07-17-2020 Filed: Appearance of Counsel/Notice of Limited Appearance Entry  
of Appearance  
07-17-2020 Filed: Demand for Jury Trial - Criminal Jury Demand  
07-17-2020 Filed: Request for Discovery Discovery Request  
07-17-2020 Filed: Return of Electronic Notification  
07-20-2020 ARRAIGNMENT Cancelled  
Reason: Def to obtain private counsel  
07-22-2020 NOTICE for Case 201200366 ID 15878316  
Judge: SHAUNA L KERR  
PRETRIAL CONFERENCE is scheduled.  
Date: 09/02/2020  
Time: 08:30 a.m.  
Location: SUMMIT CTY COURTROOM  
6300 JUSTICE CENTER ROAD  
PARK CITY, UT 84098  
Before Judge: SHAUNA L KERR  
07-22-2020 PRETRIAL CONFERENCE scheduled on September 02, 2020 at 08:30 AM  
in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR  
07-22-2020 Filed: Notice for Case 201200366 MO: Judge SHAUNA L KERR  
07-22-2020 Filed: Return of Electronic Notification  
08-28-2020 Filed: Motion Plaintiffs request for discovery  
Filed by: SCOTT FISHER  
08-28-2020 Filed: reply to discovery  
08-28-2020 Filed: Return of Electronic Notification  
09-02-2020 PRETRIAL CONFERENCE scheduled on October 14, 2020 at 08:30 AM  
in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR  
09-02-2020 Minute Entry - CONTINUANCE  
Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Defendant not present  
Defendant's Attorney(s): PETERSON, JESSICA  
Audio  
Tape Count: 8:35  
CONTINUANCE  
Whose Motion:  
The Stipulation of counsel.  
Reason for continuance:  
Correct calendar  
Prosecutor Scott Fisher present  
PRETRIAL CONFERENCE is scheduled.  
Date: 10/14/2020

Time: 08:30 a.m.  
Location: SUMMIT CTY COURTROOM  
6300 JUSTICE CENTER ROAD  
PARK CITY, UT 84098  
Before Judge: SHAUNA L KERR

09-02-2020 Filed order: CONTINUANCE

Judge SHAUNA L KERR  
Signed September 02, 2020

09-02-2020 Filed: Return of Electronic Notification

10-14-2020 PRETRIAL CONFERENCE scheduled on December 02, 2020 at 08:30 AM  
in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR

10-14-2020 Minute Entry - CONTINUANCE

Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant not present  
Defendant's Attorney(s): PETERSON, JESSICA  
Audio  
Tape Count: 8:47

CONTINUANCE

Whose Motion:  
The Stipulation of counsel.

Reason for continuance:

Discovery problems

PRETRIAL CONFERENCE is scheduled.

Date: 12/02/2020  
Time: 08:30 a.m.  
Location: SUMMIT CTY COURTROOM  
6300 JUSTICE CENTER ROAD  
PARK CITY, UT 84098  
Before Judge: SHAUNA L KERR

10-14-2020 Filed order: CONTINUANCE

Judge SHAUNA L KERR  
Signed October 14, 2020

10-14-2020 Filed: Return of Electronic Notification

12-02-2020 PRETRIAL CONFERENCE scheduled on January 06, 2021 at 08:30 AM  
in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR

12-02-2020 Minute Entry - CONTINUANCE

Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): JESSICA PETERSON  
Audio  
Tape Count: 8:48

CONTINUANCE

Whose Motion:  
The Stipulation of counsel.

Reason for continuance:

Correct calendar

PRETRIAL CONFERENCE is scheduled.

Date: 01/06/2021

Time: 08:30 a.m.

Before Judge: SHAUNA L KERR

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

12-02-2020 Filed order: CONTINUANCE

Judge SHAUNA L KERR

Signed December 02, 2020

12-03-2020 Filed: Return of Electronic Notification

01-05-2021 Filed: Motion Stipulated Motion to Continue

Filed by: MICHAEL FRANCHEK

01-05-2021 Filed: Order (Proposed) Order to Continue

01-05-2021 Filed: Request/Notice to Submit Notice to Submit

01-05-2021 Filed: Return of Electronic Notification

01-06-2021 PRETRIAL CONFERENCE scheduled on February 24, 2021 at 08:30 AM in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR

01-06-2021 Minute Entry - CONTINUANCE

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep

Prosecutor: SCOTT FISHER

Defendant Present

Defendant's Attorney(s): JESSICA PETERSON

Audio

Tape Count: 8:33

CONTINUANCE

Whose Motion:

The Stipulation of counsel.

Reason for continuance:

Correct calendar

PRETRIAL CONFERENCE is scheduled.

Date: 02/24/2021

Time: 08:30 a.m.

Before Judge: SHAUNA L KERR

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

01-07-2021 Filed order: CONTINUANCE

Judge SHAUNA L KERR

Signed January 07, 2021

01-07-2021 Filed order: Order to Continue

Judge SHAUNA L KERR

Signed January 07, 2021

01-07-2021 Filed: Return of Electronic Notification

01-07-2021 Filed: Return of Electronic Notification

02-24-2021 PRETRIAL CONFERENCE scheduled on March 03, 2021 at 08:30 AM in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR

02-24-2021 Minute Entry - CONTINUANCE

Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): JESSICA PETERSON  
Audio  
Tape Count: 8:44

CONTINUANCE  
Whose Motion:  
The Stipulation of counsel.  
Reason for continuance:  
Correct calendar  
PRETRIAL CONFERENCE is scheduled.  
Date: 03/03/2021  
Time: 08:30 a.m.  
Before Judge: SHAUNA L KERR  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic device to appear remotely, notify the court.

02-24-2021 Filed order: CONTINUANCE  
Judge SHAUNA L KERR  
Signed February 24, 2021  
02-25-2021 Filed: Return of Electronic Notification  
03-02-2021 Filed: Motion for Protective Order  
Filed by: SALT LAKE CITY  
03-02-2021 Filed: Order (Proposed) for Protective Order  
03-02-2021 Filed: Return of Electronic Notification  
03-02-2021 Filed order: Order for Protective Order  
Judge SHAUNA L KERR  
Signed March 02, 2021  
03-02-2021 Filed: Return of Electronic Notification  
03-03-2021 STATUS HEARING scheduled on May 12, 2021 at 08:30 AM with Judge SHAUNA L KERR  
03-03-2021 Minute Entry - PRETRIAL CONFERENCE  
Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): JESSICA PETERSON  
Audio  
Tape Count: 8:39  
No resolution, set for Jury trial  
STATUS HEARING is scheduled.  
Date: 05/12/2021  
Time: 08:30 a.m.  
Before Judge: SHAUNA L KERR  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

03-03-2021 Filed order: PRETRIAL CONFERENCE

Judge SHAUNA L KERR

Signed March 03, 2021

03-03-2021 Filed: Return of Electronic Notification

05-12-2021 TRIAL-JURY scheduled on September 16, 2021 at 08:30 AM with Judge SHAUNA L KERR

05-12-2021 PRETRIAL CONFERENCE-JURY scheduled on August 25, 2021 at 08:30 AM with Judge SHAUNA L KERR

05-12-2021 Minute Entry - PRETRIAL CONFERENCE

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep

Prosecutor: SCOTT FISHER

Defendant Present

Defendant pro se

Defendant's Attorney(s): PETERSON, JESSICA

Audio

Tape Count: 8:35

No resolution, still requesting Jury trial, Jury trial setting on September 16th.

TRIAL-JURY is scheduled.

Date: 09/16/2021

Time: 08:30 a.m.

Before Judge: SHAUNA L KERR

PRETRIAL CONFERENCE-JURY is scheduled.

Date: 08/25/2021

Time: 08:30 a.m.

Before Judge: SHAUNA L KERR

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

05-12-2021 Filed order: PRETRIAL CONFERENCE

Judge SHAUNA L KERR

Signed May 12, 2021

05-13-2021 Filed: Return of Electronic Notification

07-22-2021 Filed: Appearance of Counsel/Notice of Limited Appearance in Substitution of Counsel

07-22-2021 Filed: Request for Discovery

07-22-2021 Filed: Return of Electronic Notification

07-29-2021 Filed: Motion to Withdraw Motion to Withdraw

Filed by: MICHAEL FRANCHEK

07-29-2021 Filed: Order (Proposed) Order Allowing Withdrawal

07-29-2021 Filed: Request/Notice to Submit Notice to Submit

07-29-2021 Filed: Return of Electronic Notification

08-02-2021 Filed: Motion to Withdraw Amended Motion to Withdraw

Filed by: MICHAEL FRANCHEK

08-02-2021 Filed: Order (Proposed) Amended Order Allowing Withdrawal

08-02-2021 Filed: Request/Notice to Submit Amended Notice to Submit

08-02-2021 Filed: Return of Electronic Notification

08-03-2021 Filed order: Order Allowing Withdrawal

Judge SHAUNA L KERR  
Signed August 03, 2021  
08-03-2021 Filed: Return of Electronic Notification  
08-04-2021 Filed order: Order Amended Order Allowing Withdrawal  
Judge SHAUNA L KERR  
Signed August 04, 2021  
08-04-2021 Filed: Return of Electronic Notification  
08-25-2021 MOTION HEARING scheduled on September 29, 2021 at 10:00 AM with  
Judge SHAUNA L KERR  
08-25-2021 Minute Entry - CONTINUANCE  
Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): RUDY BAUTISTA  
Audio  
Tape Count: 8:35  
CONTINUANCE  
Whose Motion:  
The Defendant.  
Reason for continuance:  
Discovery problems  
Defendants Attorney Bautista requests Jury trial to be  
stricken.  
MOTION HEARING is scheduled.  
Date: 09/29/2021  
Time: 10:00 a.m.  
Before Judge: SHAUNA L KERR  
This hearing will not take place at the courthouse. It will  
be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic  
device to appear remotely, notify the court.  
08-25-2021 TRIAL-JURY Cancelled  
Reason: Case continued  
08-25-2021 Filed order: CONTINUANCE  
Judge SHAUNA L KERR  
Signed August 25, 2021  
08-25-2021 Filed: Return of Electronic Notification  
09-21-2021 Filed: Motion To Dismiss for Failure to Provide Discovery  
Filed by: MICHAEL FRANCHEK  
09-21-2021 Filed: Return of Electronic Notification  
09-27-2021 Filed: Memorandum Response to Defense Motion to Dismiss  
09-27-2021 Filed: Order (Proposed) Proposed Order  
09-27-2021 Filed: Return of Electronic Notification  
09-29-2021 Minute Entry - CONTINUANCE  
Judge: SHAUNA L KERR  
PRESENT  
Clerk: nicic  
Prosecutor: SCOTT FISHER  
Defendant not present  
Audio



Tape Number: 10:08

CONTINUANCE

Whose Motion:

The Court Judge Kerr.

Reason for continuance:

Court Ordered

The motion is granted.

HEARING

Hearing via Webex. Scott Fisher appeared as the prosecutor. Case originally called at 10:08. Neither the defendant nor defense counsel was present when the case was called. Judge will recall the case at 10:15 am. Defendant had been logged into the Webex earlier this date and was told via chat by the clerk to rejoin the hearing prior to 10:00 am. Case was recalled at 10:15 am. The defendant and counsel still were not present. The court attempted to make contact with Attorney Bautista via email at 10:19 am. Motion by Attorney Fisher to strike the hearing due to the failure to appear was granted. At 10:28 Attorney Overson logged in to cover for Attorney Bautista. Judge made an order to strike the defense's motion due to the failure to appear. Case was continued. Defense will need to refile the motion. Defendant logged back into the hearing at 10:30 and was advised that the case had been continued.

MOTION HEARING.

Date: 10/27/2021

Time: 10:00 a.m.

Before Judge: SHAUNA L KERR

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

09-29-2021 MOTION HEARING scheduled on October 27, 2021 at 10:00 AM in SUMMIT CTY COURTROOM with Judge SHAUNA L KERR

09-30-2021 Filed order: CONTINUANCE

Judge SHAUNA L KERR

Signed September 30, 2021

09-30-2021 Filed: Return of Electronic Notification

10-06-2021 Minute Entry - HEARING

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep

Prosecutor: SCOTT FISHER

Defendant Present

Defendant's Attorney(s): RUDY BAUTISTA

Audio

Tape Count: 4:10

HEARING

TIME: 4:11 PM Prosecutor Scott Fisher, Attorney Rudy Bautista and the defendant appeared via webex. Judge requested the hearing to discuss the discovery issues. Judge orders that the Prosecutor provide body cam and police reports as copy 2. Judge requests another webex hearing on Friday October 8th at 8:30 am and would like Attorney Peterson to be on the meeting as well to obtain the location of copy 1.

10-07-2021 Filed order: HEARING

Judge SHAUNA L KERR

Signed October 07, 2021

10-08-2021 Filed: Return of Electronic Notification

10-08-2021 Note: Def called for link for court this morning. He is travelling to Moab today.

10-08-2021 Minute Entry - HEARING

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep

Prosecutor: SCOTT FISHER

Defendant Present

Defendant's Attorney(s): RUDY BAUTISTA

Audio

Tape Count: 8:59

HEARING

TIME: 9:00 AM Prosecutor Scott Fisher, Attorney Rudy Bautista, Attorney Jessica Peterson and Defendant Michael Franche appeared via webex. Attorney Peterson has no physical copy of the protected information. It is in her inbox. She will forward it to Attorney Bautista and CC Prosecutor Fisher. Order from the court Attorney Bautista will pick up the discovery that is on a thumb drive from Attorney Peterson. To be picked up by Monday at noon.

10-08-2021 Filed order: HEARING

Judge SHAUNA L KERR

Signed October 08, 2021

10-08-2021 Filed: Return of Electronic Notification

10-27-2021 Filed: Motion to Suppress Evidence Due to Illegal Seizure

Filed by: MICHAEL FRANCHEK

10-27-2021 Filed: Return of Electronic Notification

10-27-2021 SUPPRESSION HEARING scheduled on December 15, 2021 at 01:00 PM with Judge SHAUNA L KERR

10-27-2021 Minute Entry - HEARING

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep

Prosecutor: SCOTT FISHER

Defendant Present

Defendant's Attorney(s): BAUTISTA, RUDY

Audio

HEARING

TIME: 10:00 AM All parties present for webex hearing. Motion to suppress was filed this morning from Defense. Suppression hearing December 15th at 1:00 pm. If Prosecution files a response it is to be to the court prior to December 1st.

SUPPRESSION HEARING is scheduled.

Date: 12/15/2021

Time: 01:00 p.m.

Before Judge: SHAUNA L KERR

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

10-27-2021 Filed order: HEARING

Judge SHAUNA L KERR

Signed October 27, 2021

10-27-2021 Filed: Return of Electronic Notification  
11-05-2021 Filed: Other - Not Signed Order (Proposed) Proposed Order  
11-05-2021 Filed: Return of Electronic Notification  
11-30-2021 Filed: Motion Response to Defense Motion to Suppress  
Filed by: SALT LAKE CITY  
11-30-2021 Filed: Order (Proposed) For Denial of Defense Motion to Suppress  
11-30-2021 Filed: Return of Electronic Notification  
12-15-2021 Minute Entry - SUPPRESSION HEARING

Judge: SHAUNA L KERR

PRESENT

Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): RUDY BAUTISTA  
Audio

HEARING

TIME: 1:00 PM TIME 1:00 PM Exclusionary rule invoked by Attorney Bautista  
All witnesses sworn. Witnesses moved into breakout session except case manager.  
TIME: 1:12 PM City calls first witness Officer James Rodrigues. Direct exam  
TIME: 1:45 PM Cross exam  
TIME: 1:58 PM Discussion re: Protective Order and questioning in this Suppression Hearing. Court ruled that this hearing will continue with witness testimony but will be continued to allow for briefing of Protective Order issues and supplemental briefing based upon the evidence provided today  
TIME: 2:04 PM Redirect by City  
TIME: 2:07 PM City calls second witness Officer Craig Proctor. Direct exam  
TIME: 2:26 PM Cross exam  
TIME: 2:33 PM City calls third witness Officer Cameron Thor. Direct exam  
TIME: 2:52 PM Cross exam.

Case is continued to allow Defense to prepare a transcript of this hearing and for supplemental briefing of this Suppression Motion based upon today s testimony and to address the Protective Order issue. February 16th, 2022 at 1:00 pm.

SUPPRESSION HEARING.

Date: 02/16/2022  
Time: 01:00 p.m.  
Before Judge: SHAUNA L KERR  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic device to appear remotely, notify the court.

12-15-2021 SUPPRESSION HEARING scheduled on February 16, 2022 at 01:00 PM with Judge SHAUNA L KERR  
12-15-2021 Filed: Return of Electronic Notification  
12-21-2021 Filed order: SUPPRESSION HEARING  
Judge SHAUNA L KERR  
Signed December 21, 2021  
12-22-2021 Filed: Return of Electronic Notification

01-28-2022 Filed: Motion to Reset or Continue  
Filed by: SALT LAKE CITY

01-28-2022 Filed: Order (Proposed) to Reset or Continue

01-28-2022 Filed: Return of Electronic Notification

02-10-2022 Filed: Correspondence from counsel indicating that he will not be filing a supplemental brief. Case will proceed to oral arguments.

02-10-2022 Filed: Return of Electronic Notification

02-11-2022 Filed: Other - Not Signed Order (Proposed) to Reset or Continue

02-11-2022 Filed: Return of Electronic Notification

02-16-2022 PRETRIAL CONFERENCE-JURY scheduled on May 02, 2022 at 10:30 AM with Judge SHAUNA L KERR

02-16-2022 TRIAL-JURY scheduled on May 20, 2022 at 08:30 AM with Judge SHAUNA L KERR

02-16-2022 Minute Entry - SUPPRESSION HEARING  
Judge: SHAUNA L KERR  
PRESENT  
Clerk: jenniep  
Prosecutor: SCOTT FISHER  
Defendant Present  
Defendant's Attorney(s): BAUTISTA, RUDY  
Audio  
HEARING  
TIME: 1:03 PM Parties appeared via webex for a continuation of the suppression hearing.  
  
TIME: 1:05 PM Defense to withdrawl motion to suppress, Judge granted motion  
  
Jury trial to be set on Friday May 20th, 2022, Final prejury trial conference on Monday May 2nd, 2022 at 10:30 am.  
PRETRIAL CONFERENCE-JURY is scheduled.  
Date: 05/02/2022  
Time: 10:30 a.m.  
Before Judge: SHAUNA L KERR  
TRIAL-JURY is scheduled.  
Date: 05/20/2022  
Time: 08:30 a.m.  
Before Judge: SHAUNA L KERR  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic device to appear remotely, notify the court.

02-16-2022 Filed: Return of Electronic Notification

02-17-2022 Filed order: SUPPRESSION HEARING  
Judge SHAUNA L KERR  
Signed February 17, 2022

02-18-2022 Filed: Return of Electronic Notification

02-22-2022 Filed: Other - Not Signed Order (Proposed) For Denial of Defense Motion to Suppress

02-22-2022 Filed: Return of Electronic Notification